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Proposed Attorneys for Debtor-in-Possession

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF OREGON

In re

CHRISTIAN S. RADABAUGH, SR.

Debtor-in-Possession.

Bankruptcy Case No. 18-34244-pcm11

DECLARATION OF CHRISTIAN S.  
RADABAUGH SR. IN SUPPORT OF  
DEBTOR'S EMERGENCY MOTION FOR  
AUTHORITY TO SELL ASSETS  
OUTSIDE THE ORDINARY COURSE OF  
BUSINESS

I, Christian S. Radabaugh Sr., hereby declare the following under penalty of perjury:

1. I am the Debtor in the above-captioned bankruptcy proceedings.
2. I make this declaration in support of Debtor's Emergency Motion for Authority to Sell

Assets Outside the Ordinary Course of Business.

3. I make this declaration based on my personal knowledge, and if called to testify, I would testify as to the facts set forth in this declaration.

4. During the two-week period prior to the filing of the petition, at the request of GP, LLC, I agreed to sell approximately 542 head of cattle through a video auction conducted by Shasta Livestock Auction Yard in Cottonwood, California. The video auction was conducted, and agreements were reached to sell the cattle to buyers, for agreed-upon prices. Pursuant to these

agreements, Debtor is to deliver the 542 head of cattle on Tuesday, December 11<sup>th</sup>, and Wednesday, December 12<sup>th</sup>, 2018.

5. Additionally, just prior to the filing of the petition, I agreed to let GP, LLC remove 305 head of cattle, primarily mother cows, and ship such livestock to the Shasta Livestock Auction Yard for sale. The cattle are scheduled to be sold on Friday, December 14, 2018.

6. In order to deliver the cattle that is due for delivery today, I arranged for trucks to pick up the cattle beginning this morning, and for an Oregon brand inspector to inspect the brands to permit transit. Trucks and brand inspections have also been made for the delivery of cattle that is due to be delivered tomorrow. These arrangements were made prior to filing chapter 11 and would be costly to the estate and disruptive the sale process to stop.

7. I believe my credibility as a seller of livestock would be impaired if I fail to complete timely delivery of the livestock as it had agreed to do.

8. Furthermore, if I fail to deliver the livestock as I am required to do, it would incur substantial additional costs for feed and care of the livestock. I do not have consent or a court order to use cash collateral and in any event, I have very limited funds available.

9. With respect to the cattle scheduled to be sold on Friday, if that sale does not occur, then I will incur additional costs (with limited funds available) for feed, care, and storage of the cattle at Shasta Livestock that can be avoided by the proposed sale.

10. The sale at Shasta Livestock was an arm-length transaction and was conducted by Shasta Livestock. The purchaser is not related to me or any of my affiliates.

11. The sale at Shasta Livestock scheduled for Friday December 14, 2018 will be an arm-length transaction and will be conducted by Shasta Livestock.

12. I believe the auction process used by the Shasta Livestock Auction Yard is a reasonable process designed to obtain reasonable market value for livestock, and that the sale procedures used by the auction yard are standard for the cattle industry. I believe that the prices that will be obtained for the cattle are fair market prices.

13. I believe that the proposed sale of livestock will yield approximately \$850,000 to \$900,000, which will enable me to significantly pay down the judgment owed to GP, LLC, and will also provide me with cash needed to pay for business and living expenses during the initial months of these bankruptcy proceedings. Payment of the debt owed to GP, LLC will significantly reduce the amount of interest that accrues on the debt each month. Additionally, without the cash that is expected to be generated from the cattle sales, I do not believe I will have sufficient cash flow to operate my business and pay for living expenses.

I HEREBY DECLARE THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND UNDERSTAND THAT IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY OF PERJURY IN THE UNITED STATES.

DATED: December 11, 2018

By: /s/ Christian S. Radabaugh Sr.  
Christian S. Radabaugh Sr.